

Message Text

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SUBJ: MILITARY UNIONS IN ITALY

REF : (A) STATE 163208

(B) ROME 5217

(C) ROME 1638 (NOTAL)

(D) ROME 11431 (NOTAL)

1. IN THE REPORTS UNDER REFERENCE, THE EMBASSY HAS ALREADY DESCRIBED VARIOUS ASPECTS OF ORGANIZING EFFORTS IN THE MILITARY AND MILITARIZED FORCES OF ITALY. THIS REPORT ADDRESSES ITSELF SPECIFICALLY TO THE POINTS ENUMERATED IN STATE 163207.

A. ITALIAN ARMED FORCES ARE NOT ALLOWED TO ORGANIZE THEMSELVES

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INTO TRADE UNIONS. THE PROSCRIPTION STEMS FROM NO SPECIFIC

LAW, BUT RATHER FROM MILITARY REGULATIONS. MORE SPECIFICALLY, HOWEVER, DECREE LAW NO. 205 OF APRIL 24, 1945 PROHIBITS NATIONAL PUBLIC SECURITY POLICE PERSONNEL -- BOTH MILITARY AND CIVILIAN -- FROM BEING MEMBERS OF EITHER A UNION OR A POLITICAL PARTY. THE CONSTITUTIONALITY OF THESE PROVISIONS WAS AFFIRMED BY THE SUPREME ADMINISTRATIVE COURT/(THE CONSIGLIO DI STATO) WHICH, IN ITS DECISION NO. 5 OF FEBRUARY 4, 1966, INVOKED ARTICLE 98 OF THE ITALIAN CONSTITUTION TO RULE THAT THE ARMED FORCES MAY NOT BE UNIONIZED. WHEREAS ARTICLE 98 REFERS ONLY TO MEMBERSHIP IN POLITICAL PARTIES, THE SUPREME ADMINISTRATIVE COURT EVIDENTLY HELD UNION MEMBERSHIP TO BE ANALAGOUSLY PROSCRIBED. IT IS WORTH NOTING, HOWEVER, THE DECISION MAY CONFLICT WITH ARTICLE 49 OF THE CONSTITUTION WHICH PROVIDES THAT "ALL CITIZENS HAVE THE RIGHT FREELY TO ORGANIZE THEMSELVES IN PARTIES IN ORDER TO COOPERATE IN A DEMOCRATIC WAY IN DETERMINING NATIONAL POLICY." NO DISTINCTIONS IN ANY OF THE FOREGOING ARE DRAWN BETWEEN CONSCRIPTS AND VOLUNTEERS, OR BETWEEN OFFICERS AND ENLISTED MEN.

B. NOTWITHSTANDING THE LIMITATIONS DESCRIBED ABOVE, ATTEMPTS TO PROMOTE UNIONIZATION IN THE ARMED FORCES ARE BEING MADE BY VARIOUS POLITICAL GROUPS, THE PRIMARY AIM OF WHICH APPEARS TO BE THE ABOLITION OF DECREE LAW NO. 205. BILLS HAVE BEEN PRESENTED IN PARLIAMENT BY BOTH COMMUNIST AND CHRISTIAN DEMOCRATIC DEPUTIES SEEKING THE DEMILITARIZATION OF PUBLIC SECURITY FORCES, AND GRANTING THEM THE RIGHT TO ORGANIZE. THESE BILLS, HOWEVER, HAVE NOT INCLUDED THE ARMED FORCES IN THEIR SCOPE. IN ANY EVENT, NONE OF THE BILLS HAS EVER BEEN ENACTED, AND THEY WOULD HAVE TO BE REINTRODUCED IN THE NEWLY-ELECTED PARLIAMENT BEFORE ENACTMENT WOULD BE POSSIBLE. ORGANIZING EFFORTS IN THE ARMED FORCES HAVE HAD ONLY LIMITED SUCCESS, PERHAPS BECAUSE THESE EFFORTS HAVE ALMOST EXCLUSIVELY BEEN CONDUCTED BY FAR LEFT GROUPS. THE MAJOR PARTIES, INCLUDING THE PCI, HAVE SHOWN LITTLE INTEREST IN THE SUBJECT. HOWEVER, SOME ORGANIZATION, NOT STRICTLY OF A TRADE UNION NATURE, HAS TAKEN PLACE AMONG NON-COMMISSIONED OFFICERS. FROM TIME TO TIME, THROUGH PROTEST RALLIES AND OTHER MANIFESTATIONS (AS REPORTED IN REFERENCE MESSAGES), THEY HAVE RAISED DEMANDS FOR IMPROVED LIVING AND WORKING CONDITIONS,

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AND FOR A LESS RIGID MILITARY DISCIPLINE. IN NOVEMBER, 1975, IN RESPONSE TO PRESSURES EXERTED BY CERTAIN POLITICAL PARTIES, NOTABLY THE COMMUNISTS AND SOCIALISTS, A "RESEARCH CENTER FOR THE STUDY OF PROBLEMS OF THE MILITARIZED POLICE AND THE DEMOCRATIC REGULATION OF THE ARMED FORCES" WAS ESTABLISHED. IT IS NOTEWORTHY THAT THE PRESIDENT OF THE CENTER, SENATOR LELIO BASSO -- WHO IS A LEFT WING INDEPENDENT, WELL TO THE LEFT OF THE COMMUNISTS -- HAS STRESSED HE IS OPPOSED TO THE

UNIONIZATION OF THE ARMED FORCES BUT IS VERY MUCH INTERESTED IN PRESERVING THE CIVIL RIGHTS OF SOLDIER CITIZENS. THE THREE MAJOR TRADE UNION CONFEDERATIONS -- THE COMMUNIST-DOMINATED CGIL, THE CHRISTIAN DEMOCRATIC-ORIENTED CISL AND THE SOCIALIST/LAY UIL -- HAVE GENERALLY STEERED CLEAR OF ORGANIZING EFFORTS IN THE ARMED FORCES ALTHOUGH, AS REPORTED, CISL AND UIL SPOKESMEN HAVE OCCASIONALLY ADDRESSED SOLDIER DEMONSTRATIONS.

C. NO DATA ARE AVAILABLE AS TO THE EXTENT OF THE EXISTING ORGANIZATIONS AMONG THE ARMED FORCES. (THERE ARE CERTAIN "PROVINCIAL COMMITTEES" OPERATING AMONG THE MILITARIZED POLICE, AND THESE ARE RECOGNIZED BY THE MINISTRY OF INTERIOR, BUT ARE NOT CONSIDERED UNIONS; NO MEMBERSHIP DUES ARE REQUIRED). THOSE ORGANIZATIONS WHICH DO EXIST APPEAR TO BE STRONGEST IN THE AIR FORCE, ALTHOUGH EVEN HERE THEY DO NOT APPEAR TO OPERATE ON A CONTINUOUS BASIS.

D AND E. NO COLLECTIVE BARGAINING, WITHIN ANY REASONABLE DEFINITION OF THE TERM, EXISTS WITHIN THE ARMED FORCES. UNDER THE CURRENT SYSTEM, BENEFITS AS WELL AS WORKING CONDITIONS WITHIN THE ARMED FORCES ARE SET BY THE MINISTRY OF DEFENSE, SUBJECT TO THE APPROVAL OF PARLIAMENT. THERE IS REASON TO BELIEVE THAT, FOLLOWING THE AGITATION WHICH PEAKED LAST MARCH, THE MINISTRY OF DEFENSE HAS TAKEN INTO CONSIDERATION SOME OF THE DEMANDS PUBLICLY PRESENTED BY THE LOOSE NON-COM ORGANIZATIONS. WITHIN THE MILITARIZED PUBLIC SECURITY FORCES, THE "PROVINCIAL COMMITTEES" DO MEET WITH MINISTRY OF INTERIOR OFFICIALS TO DISCUSS VARIOUS PROBLEMS. BOTH THE POLICE AND THE ARMED FORCES DO HAVE WAGE ESCALATION APPLIED TO THEIR INCOMES, I.E., WAGES/SALARIES ARE INCREASED IN COORDINATION WITH PRICE INDEX DEVELOPMENTS.

F. ACCORDING TO ITALIAN GOVERNMENT OFFICIALS WITH WHOM THIS UNCLASSIFIED

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SUBJECT HAS BEEN DISCUSSED, "NATIONAL EMERGENCY" PROVISIONS ARE NOT RELEVANT TO THE CURRENT STATE OF ORGANIZATION IN THE ARMED FORCES.

G. IN VIEW OF THE PRIMITIVE, WHOLLY UNOFFICIAL STATUS OF ORGANIZATION WITHIN THE ARMED FORCES, NO RELEVANT NATIONAL EMERGENCY PROVISIONS ARE REQUIRED. MILITARY COMMAND POSSESSES FULL PREROGATIVES TO ACT UNILATERALLY WITHIN THE GUIDELINES LAID DOWN BY THE MINISTRY OF DEFENSE, WITHOUT REGARD TO ANY ORGANIZATIONS OF MILITARY OFFICERS OR MEN.

H. COMMENT: SINCE IMPORTANT SECTORS OF THE ITALIAN PUBLIC SECURITY FORCES (E.G., THE CARABINIERI, THE GUARDIA DI FINANZA, ETC.) ARE MILITARIZED, ORGANIZING DEVELOPMENTS WITHIN THOSE SECTORS MAY WELL PROVIDE A CLUE TO FUTURE EFFORTS WITHIN

THE ARMED FORCES THEMSELVES. AS NOTED, THERE ARE CERTAIN PRESSURES FOR DEMILITARIZING THE POLICE, PAVING THE WAY FOR THEIR ORGANIZATION INTO CONVENTIONAL TRADE UNIONS. HOWEVER, THAT DEVELOPMENT IS NOT IMMINENT. MEANWHILE, GIVEN THE DISINTEREST OF THE COMMUNIST PARTY IN SUPPORTING UNIONIZATION EFFORTS IN THE MILITARY FORCES, IT IS UNLIKELY THAT THESE EFFORTS WILL ENJOY MUCH SUCCESS -- LET ALONE, OFFICIAL RECOGNITION -- BEYOND PINPOINTING CERTAIN LEGITIMATE GRIEVANCES WHICH ITALIAN CONSCRIPTS DO POSSESS. VOLPE

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